

**CITY OF PLACERVILLE
CITY COUNCIL**

MINUTES

Regular City Council Meeting
December 13, 2011

City Council Chambers – Town Hall
549 Main Street, Placerville, CA 95667
5:30 P.M. Closed Session
6:30 Employee Service Awards Reception
7:00 P.M. Open Session

5:30 CLOSED SESSION

Govt. Code 54956.9 Conference with Legal Counsel – Potential Litigation
301-305 Main Street, Placerville

Govt. Code 54956.8 Conference with Real Property Negotiator
487 Main Street, Placerville

7:00 P.M. OPEN SESSION

1. CALL TO ORDER & PLEDGE OF ALLEGIANCE TO THE FLAG

The Mayor called the meeting to order at 7:00 P.M. The Pledge of Allegiance to the Flag was recited.

2. ROLL CALL: Present: Acuna, Borelli, Hagen, Machado, Mattson

3. ANNOUNCEMENTS TO THE PUBLIC

3.1 Code Enforcement Activity at 3149 Big Cut Road (Oral Report)

The Director of Community Development summarized activities taking place at a property located on the corner of Big Cut Road and Estey Way. He noted that several state departments had been contacted regarding enforcement issues. He further noted that the City Police Department has been working with City staff in resolving code violations at the above location.

3.2 City of Placerville Wins Fourth Place Nationally in National Night Out Celebration (Chief Nielsen)

The Chief of Police reported that he had received notification that the City of Placerville had won fourth place nationally, in cities under 15,000 population, for the City's annual National Night Out celebration last August. The Chief commended SHIELD (Seniors Helping in Enforcement-Like Duties) volunteers Bonnie Rogers and Suzanne Ball for coordinating this year's event, and all of the SHIELD volunteers and Police personnel for their efforts in our successful event.

3.3 Mayor Acuna Thanks Public Works Crew

The Mayor thanked the Public Works Department crew who responded to a water line break on Cedar Ravine on Saturday, December 10th. He noted that the crews were working the entire day to restore water to that neighborhood.

3.4 Mayor Thanks Dolly Wager and the Highway 50 Christmas Tree Crew

The Mayor thanked Chamber of Commerce member and City Planning Commissioner Dolly Wager for coordinating the annual Highway 50 Christmas Tree Lane. He noted that this year's display was exceptionally beautiful and commented that the trees survived a particularly strong wind event earlier this month.

3.5 Mayor Thanks Dave Brazelton and Western Sign Company for Holiday Trees

The Mayor thanked Mr. Brazelton and Western Sign Company for assisting the City in decorating the large community trees, as well as other large trees in the community decorated by Western Sign.

3.6 Mayor Thanks the McIntire Family for Their Sponsorship of the Annual Christmas Parade

The Mayor thanked the McIntire family for their annual sponsorship of the Christmas Parade held on Sunday, December 4th. He noted that the parade generated many positive comments and was enjoyed by the entire community.

4. CLOSED SESSION REPORT – City Attorney Driscoll

The City Attorney noted that no reportable action had been taken in Closed Session. He did, however, report on a settlement agreement reached in a matter that was listed on the Closed Session agenda on November 22, 2012. In the matter of Steiny & Co. vs. Western Water Constructors and the City of Placerville, a settlement of \$502,000 released all future claims and \$120,500 in additional work required by Steiny & Co. has been paid by the City. The Mayor emphasized that the amount of settlement was less than an amount that would have been held as a project retention and settles all future issues related to the Water Reclamation Facility.

5. ADOPTION OF AGENDA

The City Manager noted that staff is requesting the addition of item 12.1 to tonight’s agenda as an urgency matter. The City Attorney noted that an item can be added by a 2/3’s vote (4 of 5 affirmative Council votes) to an agenda when a matter arises following publication of the agenda, that must be resolved prior to the next regularly scheduled Council meeting. This matter requests the appointment of an Alternate Personnel Board member for an upcoming personnel hearing scheduled for January 4, 2012. The next regularly scheduled Council meeting will be held on January 10, 2012.

It was then moved by Vice-Mayor Mattson and seconded by Councilmember Borelli that the City Council adopt the Agenda as modified. The motion was passed by the following vote:

AYES: Acuna, Borelli, Hagen, Machado, Mattson
NOES: None
ABSENT: None
ABSTAIN: None

6. CEREMONIAL MATTERS

6.1 Employee Service Recognition

City employees were recognized for over 324 years of combined service to the City of Placerville.

6.2 Motion for the City Council to Adjourn the Meeting Sine-Die, and Appoint the City Manager as Temporary Chairperson

The Mayor Pro Tem adjourned the meeting Sine-Die and to appoint the City Manager as Temporary Chairperson. The City Manager called the meeting to order and requested nominations from the Council for the election of Mayor. It was moved by Councilmember Mattson and seconded by Councilmember Borelli that the City Council appoint Mark Acuna as Mayor for the 2012 calendar year. No other nominations were forthcoming. The motion was passed by the following vote:

AYES: Acuna, Borelli, Hagen, Machado, Mattson
NOES: None
ABSENT: None
ABSTAIN: None

6.3 The Mayor Calls for Nominations for Vice-Mayor

Mayor Acuna called for a motion and a second to nominate candidate(s) within the Council for the position of Vice-Mayor. It was moved by Councilmember Machado and seconded by Mayor Acuna that Wendy Mattson be appointed as Vice-Mayor for the 2012 calendar year. No other nominations were forthcoming. The motion was passed by the following vote:

AYES: Acuna, Borelli, Hagen, Machado, Mattson
NOES: None
ABSENT: None
ABSTAIN: None

Following a majority vote for the election of Vice-Mayor, the regular order of business resumed.

7. PUBLIC COMMENT – BRIEF – NON-AGENDA ITEMS

This portion of the meeting is reserved for persons wishing to address the Council on any matter not on the Agenda that is within the subject matter jurisdiction of the City Council. State law prohibits the Council from acting on items not listed on the Agenda except by special action of the City Council under specified circumstances.

7.1 Written Communications

No written communications were noted.

7.2 Oral Communication

Carol Patton addressed the Council regarding 301-305 Main Street.

8. COUNCIL REPORTS AND REQUESTS FOR FUTURE AGENDA ITEMS – (Requests for Future Agenda Items Requires a Majority Concurrence of the Council)

8.1 Written Report by Vice-Mayor Mattson

Vice-Mayor Mattson summarized recent meetings she had attended including the November 29th Neighborhood Chat, the December 1, 2011 meetings of the El Dorado County Transportation Commission and El Dorado Transit. She also noted that she and Councilmember Borelli had taken a tour of various City facilities with City Manager Morris and had lunch at the Corporation Yard with City crews. She also requested that at the next regularly scheduled Council meeting on January 10, 2012, the Council set a date for discussion of the results of both Neighborhood Chat workshops. The Council was in agreement that this item be considered by the Council at the January 10th Council meeting.

8.2 Oral Report by Councilmember Borelli

Councilmember Borelli noted that she had recently taken Amtrak to a transportation related function in the Bay Area with other members of the County Transportation Commission. She reported on a recent Sierra Economic Development Corporation (SEDCorp) meeting held in Auburn. Councilmember Borelli thanked CalTrans for the recently completed four-way stop and the intersection of Highway 49 (Coloma Road) and Spring Street. She noted that she had requested that this be made a four-way stop for many years and was pleased to see that CalTrans had installed this safety measure.

8.3 Oral Report by Councilmember Machado

Councilmember Machado reported on the recent opening of the Coffee Depot on lower Main Street. He requested that the Council sub-committee meet with El Dorado Irrigation District (EID) representatives to discuss

EID's cost of service studies. The City Manager noted that staff had been in meetings with EID staff recently regarding this matter. Councilmember Machado requested that the City Manager move forward on the formation of an Economic Development Committee. He also requested the formation of Council sub-committee to review cost saving measures in the City's Information Technology Department. He requested that the City become involved in discussions regarding the potential future use of the El Dorado County Superior Courthouse on Main Street. Following brief Council discussion, it agreed by consensus that the Courthouse issue could be assigned to the proposed Economic Development Committee.

8.4 Oral Report by Councilmember Hagen

Councilmember Hagen reported on issue related to the Greenstone area regarding Red Hawk Casino. He also reported on a recent Sacramento Area Council of Governments (SACOG) meeting he had attended.

8.5 Oral Report by Mayor Acuna

Mayor Acuna reported on a recent Gold Bug Park Development Committee meeting he had attended and noted that the park set records this year for both mine tours and gift shop sales. He further noted that tour reservations for 2012 have also shown a potential record-breaking trend. He commended Gold Bug Park Maintenance and Operations Specialist Frank Jacobi and staff for their efforts at the park and noted that the park had successfully passed its semi-annual mine inspection by the state. The new blacksmith shop has been attracting blacksmith hobbyists to the park and commended staff for the addition of the working blacksmith shop. The Mayor also thanked Vicini Construction for resurfacing the park road leading to the stamp mill. The Mayor requested that agenda item be added to one of the Council's January meetings to receive an update on the activities related to 301-305 Main Street. The Council was in concurrence that this item be agendized for future Council consideration.

9. CONSENT CALENDAR

9.1 Minutes of the Regular City Council Meeting of November 22, 2011 (Ms. Zito)

Approved the Minutes of the regularly scheduled Council meeting of November 22, 2011.

9.2 Warrant Register (Mr. Warren)

Approved the Warrant Register.

9.3 Payroll Registers (Mr. Warren)

Approved the Payroll Registers for Pay Periods 10 and 11.

9.4 Adopt a Resolution Approving Authorization to Proceed No. 3 (Milestone 4), in an Amount Not to Exceed \$614,597 Under the Existing Consulting Services Agreement with Dokken Engineering (Resolution No. 7607) for the Western Placerville Interchanges and Authorize the City Manager to execute said Authorization (Mr. Pesses)

Resolution No. 7959

Adopted a Resolution approving authorization to proceed No. 3 (Milestone 4), in an amount not to exceed \$614,597 under the existing Consulting Services Agreement with Dokken Engineering (Resolution No. 7607) for the Western Placerville Interchanges; and authorized the City Manager to execute said authorization.

9.5 Adopt a Resolution Authorizing Staff to Proceed with the Right-of-Way Acquisition for Phase IB of the Western Placerville Interchanges Project (CIP 40705) Subject to the Receipt of a Federal Authorization to Proceed (E-76) With This Phase of the Project and Designate Universal Field Services as Negotiating Agent to Conduct Appraisals and Negotiations for the Right-of-Way Acquisitions (Mr. Pesses) (Exhibit: Western Placerville Interchanges Project)

Resolution No. 7960

Adopted a Resolution authorizing staff to proceed with right-of-way acquisition for Phase IB of the Western Placerville Interchanges Project (CIP 40705) subject to the receipt of a federal authorization to proceed (E-76) with this phase of the project; and designated Universal Field Services as Negotiating Agent to conduct appraisals and negotiations for the right-of-way acquisitions.

Councilmember Machado noted that would abstain from voting on items 9.4 and 9.5. It was then moved by Vice-Mayor Mattson and seconded by Councilmember Borelli that the City Council approve the Consent Calendar with Councilmember Machado's abstention from Items 9.4 and 9.5. The motion was passed by the following vote:

AYES: Acuna, Borelli, Hagen, Machado, Mattson
NOES: None
ABSTAIN: None
ABSENT: None

10. ORDINANCES

10.1 Second Reading of an Ordinance Amending Section 1-6A-1 of the Placerville Municipal Code to Update the Informal Bidding Procedures Under the Uniform Public Construction Cost Accounting Act (Section 22000, et. seq., of the Public Contract Code) and Adopt a Resolution Whereby the City Elects to be Subject to the Uniform Construction Cost Accounting Procedures Set Forth in the Uniform Construction Cost Accounting Act (Mr. Stong)

Ordinance No. 1645

The City Engineer summarized the issue and responded to Council comments. It was then moved by Hagen and seconded by Councilmember Borelli that the City Council take the following action:

- 1. Waive the Second Reading of an Ordinance amending Section 1-6A-1 of the Placerville Municipal Code to update the informal bidding procedures under the Uniform Public Construction Cost Accounting Act (Section 22000, et seq., of the Public Contract Code); and*
- 2. Adopt said Ordinance.*

The motion was passed by the following vote:

AYES: Acuna, Borelli, Hagen, Machado, Mattson
NOES: None
ABSENT: None
ABSTAIN: None

11. PUBLIC HEARINGS – None Scheduled

12. DISCUSSION/ACTION ITEMS

12.1 Confirmation of Appointment of an Alternate Board Member to the Personnel Board (Ms. Zito)

Staff summarized the urgent need to appoint an Alternate Board Member to represent the City in a Personnel Hearing scheduled for January 4, 2012, prior to the next regularly scheduled Council meeting. Staff noted that one of the Personnel Board members had a work-related scheduling conflict and that the City was obligated by Personnel Rule 13.3 to set a hearing with 30 days of an appeal received on December 5th. It was then moved by Councilmember Hagen and seconded by Vice-Mayor Mattson to confirm the appointment of Alison Costa as an Alternate Personnel Board member, serving as the City’s Representative. The motion was passed by the following vote:

AYES: Acuna, Borelli, Hagen, Machado, Mattson
NOES: None
ABSENT: None
ABSTAIN: None

13. ITEMS PULLED FROM THE CONSENT CALENDAR

No items were pulled from the Consent Calendar.

14. CITY MANAGER AND STAFF REPORTS

14.1 Status Report on the Decommissioned City Landfill Located at 2587 Highway 193 at the Northern City Boundary (Mr. Pesses)

The City Engineer and City Manager reported on issues related to the decommissioned City landfill and responded to Council questions. No action was requested. This item was for information only.

15. UPCOMING ITEMS

Items tentatively scheduled for January 10, 2012 include the Housing Element revisions to comply with the State Housing Community Development Agency comments, and a staff report on the Sacramento Hill cell tower site.

16. ADJOURNMENT at 8:30 P.M.

The next Regular Council meeting will be held on January 10, 2012
6:00 P.M. Closed Session; 7:00 P.M. Regular Session.

Susan Zito, MMC
City Clerk